THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.24411 of 2003

ORAL ORDER:

This writ petition is filed seeking a Mandamus directing the respondents to pay an amount of Rs.2,26,864/- due to the petitioners under 'Vasavi Multiplier Deposits' bearing Deposit Receipt Nos.103093, 103091, 104276 and 062025.

It appears, the petitioners have deposited certain amounts under fixed deposit scheme named as 'Vasavi Multiplier Deposits' with the first respondent Bank. All the fixed deposits have been matured, and when the petitioners approached the first respondent for payment of fixed deposit amounts, the bank had taken objection stating that unless and until there is a clearance from the Reserve Bank of India, the same cannot be released. According to the first petitioner, he is aged about 70 years and second petitioner is a senior citizen and further they are not keeping good health.

The first respondent filed a counter accepting the contention raised by the petitioners, but stated that in pursuance of the request made by the petitioners, the first respondent also requested the second respondent-Reserve Bank of India for payment of Rs.1,00,000/- on maturity receipts to the Nizam Institute of Medical Sciences by modifying the direction issued under Section 35-A of the Banking Regulation Act. The first respondent is restrained for making any payment as per the directions and restrictions imposed by the second respondent under Section 35-A of the Banking Regulation Act and unless and until the second respondent gives any directions to pay the amounts by modifying the earlier directions, the first respondent is not in a position to pay any amount to the petitioners.

In view of the above, without expressing any opinion on merits,

considering the age of the petitioners and since the maturity of fixed deposit receipts are not in dispute, the second respondent is directed to consider for modifying the orders issued under Section 35-A of the Banking Regulation Act, enabling the first respondent to pay the maturity fixed deposit receipts to the petitioners, by passing appropriate orders as per law, within a period of four weeks from the date of receipt of a copy of this order.

With the above observation and directions, the writ petition is disposed of. No order as to costs.

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C.V.RAMULU, J

Date: 2.11.2006

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W.P.No.24411 of 2003

2.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.24411 of 2003

Date: 2nd November, 2006

Between:

Dr.Padma Reddy & another.

.. Petitioners

And

Vasavi Cooperative Urban Bank Ltd.,
represented by its Chief Executive Officer,
Malakpet, Hyderabad & another.

.. Respondents